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BEFORE THE
Federal Communications Commission
WASHINGTON, D. C. 20554

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Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Amendment of Section 73.202(b),)	MB Docket No. 05-282
Table of Allotments,)	RM-11229
FM Broadcast Stations.)	RM-11333
(Rockmart, Aragon and Ringgold, GA;)	RM-
Lynchburg, Chattanooga, Spring)	
City, Decatur, Harrison and)	
Wartrace, TN))	

TO: The Secretary
ATTN: Assistant Chief, Audio Division
Media Bureau

REPLY COMMENTS

Tri-State Communications, Inc., licensee of FM Broadcast Station WLJA-FM, Channel 228A, Ellijay, Georgia (WLJA), by its attorney, and pursuant to the Public Notice, **Petitions for Rulemaking Filed, Report No. 2773**, released June 16, 2006, hereby respectfully submits Reply Comments in support of the "Counterproposal" filed by Bart Walker on December 5, 2005 seeking the allocation of FM Channel 230A to Wartrace, Tennessee as its first local broadcast outlet. In so doing, the following is shown:

1. The fifteenth day subsequent to June 16, 2006 was Saturday, July 1, 2006. Pursuant to 47 C.F.R. §1.4(j), the due date for Reply Comments is the first business day

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thereafter, which is Monday, July 3, 2006. Therefore, this pleading is timely filed.

2. Interestingly, **Report No. 2773** accepted the Walker counterproposal for Wartrace, but did not mention another "Counterproposal" filed on December 5, 2005 on behalf of J. L. Brewer Broadcasting of Cleveland, LLC and J. L. Brewer Broadcasting, LLC, which seeks the removal of WMPZ(FM) from Ringgold, Georgia and reallocation to Harrison, Tennessee (and change of frequency from Channel 229A to Channel 228A), and also the removal of WAYA(FM) from Spring City, Tennessee to Decatur, Tennessee while continuing on Channel 230C3. WLJA believes that the Brewer "Counterproposal" violated FCC rules and policies, and ought to be summarily dismissed. Therefore, we hereby incorporate by reference our "Reply Comments" of December 20, 2005 in this docket.

3. Brewer's proposed use of Channel 230C3 at Decatur is mutually-exclusive with Walker's proposed use of Channel 230A at Wartrace, in that the reference coordinates of the two proposals are 128.000 km apart, while 47 C.F.R. §73.207's Table A requires a separation of 142 km. The Wartrace proposal is fully-spaced to existing co-channel WAYA(FM) at Spring City by 0.57 km (142.57 km actual versus 142 km required).

4. Brewer's proposal to relocate WAYA(FM) from Spring City to Decatur requires the deletion of WMPZ(FM)'s allocation of Channel 229A at Ringgold, since Brewer's reference coordinates at Decatur are short-spaced to the licensed WMPZ(FM) transmitter site¹ by almost 28 km (61.2 km actual versus 89 km required). Brewer proposes to relocate WMPZ(FM) to Harrison, Tennessee and to change frequency from Channel 229A to Channel 228A; the use of Channel 228A at the Brewer reference coordinates² is about 35 km short-spaced to the licensed transmitter site of co-channel WLJA(FM)³ (80.049 km actual versus 115 km required).

5. As WLJA has pointed out in its December 20 pleading, Harrison is not a community to which a station can be licensed, because it appears to be a part of the Chattanooga urban area. Further, there appears to be line of sight problems with its proposed transmitter site. Since, therefore, WMPZ(FM) cannot be relocated from Ringgold to Harrison, WAYA(FM) cannot be relocated from Spring City to Decatur.

6. On the other hand, Walker's proposed use of Channel 230A at Wartrace would be fully-spaced with all existing stations, allocations and applications, and would

¹34° 53' 46" NL, 85° 10' 18" WL.

²35° 07' 06" NL, 85° 14' 29" WL.

³34° 42' 49" NL, 84° 30' 55" WL.

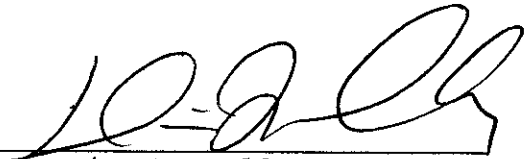
provide a first local broadcast service to Wartrace. This proposal is the one that best meets the objectives of 47 U.S.C. §307(b).

WHEREFORE, it is urged that the Commission **ALLOCATE** Channel 230A to Wartrace, Tennessee, and that the Commission **DISMISS OR DENY** the "Counterproposal" filed on December 5, 2005 by J. L. Brewer Broadcasting of Cleveland, LLC and J. L. Brewer Broadcasting, LLC.

Respectfully submitted,

TRI-STATE COMMUNICATIONS, INC.

By


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July 3, 2006

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing "Opposition to Motion to Accept Response to Reply Comments" were served by first-class United States mail, postage prepaid, on this 3rd day of July, 2006 upon the following:

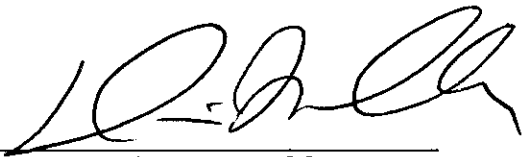
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